

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KENNETH DAVID KNAPP

Application No. 09/975,386

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on September 6, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter(s) requiring attention prior to docketing is/are identified below:

The examiner mailed an Examiner's Answer on June 1, 2005 in response to appellant's brief filed March 9, 2005 under 37 CFR § 41.37.¹ However, the answer appears to have been drafted under the 37 CFR § 1.192(c) format. A revised examiner's answer that corresponds to the § 41.37(c) brief headings is required. For

¹At the request of the BPAI, on November 8, 2005, Appellant's attorney faxed in a supplemental sheet to the brief with appendix headings (ix) Evidence Appendix and (x) Related Proceedings Appendix (no related matter involved) for completeness and a copy is being scanned into the electronic file of the application.

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the required content in an examiner's answer under the new rules, the examiner is directed to the Manual Of Patent Examining Procedure (MPEP) § 1207.02(A) (8th ed., Rev. 3, August 2005).

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to vacate the Examiner's Answer mailed June 1, 2005, and issue a revised Examiner's Answer that corresponds to the § 41.37(c) brief headings; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: PAUL & PAUL
2000 MARKET STREET
SUITE 2900
PHILADELPHIA, PA 19103

CF/vsh